

Boucher, Aimee

From: Klotz, Mark A (DEC) <mark.klotz@dec.ny.gov>
Sent: Wednesday, August 08, 2018 3:51 PM
To: Laureano, Javier; Gratz, Jeff
Subject: EPA's comments on draft 2018 NY 303(d) list

Javier and Jeff,

I was quite surprised and disappointed on Monday when DEC staff forwarded to me a copy of EPA's comments on the draft 2018 NY 303(d) list. Several months ago, we agreed to make the development of the 303(d) list a collaborative process between DEC and EPA. To that end, DEC held conference calls and a meeting with EPA to walk through our draft list and the rationale behind our decisions, and DEC provided EPA with an advance copy of our draft list to review prior to our formal submission to EPA. DEC also scheduled several conference calls for EPA to discuss any comments and concerns on the draft list with DEC but most, if not all, of those calls were cancelled by EPA. Then, without any discussion or advanced notice, EPA sent DEC an extensive list of formal comments – several of which were not previously raised to DEC in any discussions on the subject, others which were already addressed in staff-level email exchanges, and some of which are inappropriate.

Jeff: I will call you within the next day or two to discuss this further.

Mark Klotz

Director – Division of Water

New York State Department of Environmental Conservation

625 Broadway, Albany, NY 12233-3500

P: 518-402-8233 | F: 518-402-8230 | Mark.Klotz@dec.ny.gov

www.dec.ny.gov |  | 